

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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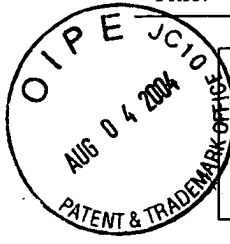
Applicant: Cohen et al.

Serial No.: 10/840008

Filed: May 5, 2004

Docket: 9124.140US01

Title: INJECTABLE CROSS-LINKED POLYMERIC PREPARATIONS AND USES THEREOF

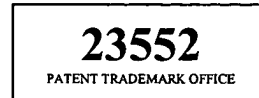


CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 2, 2004.

By:   
Name: Antonette Peters

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Certified copy of a Israel application, Serial No. 155774, filed May 5, 2003, the right of priority of which is claimed under 35 U.S.C. 119
- ☒ Information Disclosure Statement, Form 1449, 44 References
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: Gregory A. Sebald  
Reg. No.: 33,280  
GAS/acp

S/N 10/840008

PATENT



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**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.


Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: August 2, 2004

By   
Gregory A. Sebold  
Reg. No. 33,280

GAS/acp



<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 9124.140US01	Application Number: 10/840008
	Applicant: Cohen et al.	
	Filing Date: May 5, 2004	Group Art Unit:

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,171,610 B1	01/2001	Vacanti et al.			
	6,129,761	10/2000	Hubbell			
	6,134,334	10/2000	Killion et al.			
	5,776,445	07/1998	Cohen et al.			
	5,709,854	01/1998	Griffith-Cima et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	97/44070	11/1997	WIPO				
	94/25080	11/1994	WIPO				
	99/15211	04/1999	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Abbate et al. <i>Circulation</i> . August 27, 2002. Vol. 106, p. 1051-4.
		Abbate et al. <i>Journal of Cellular Physiology</i> . 2002. Vol. 193, p. 145-53.
		Askari et al. <i>The Lancet</i> . August 30, 2003. Vol. 362, p. 697-703.
		Beltrami et al. <i>Cell</i> . September 19, 2003. Vol. 114, p. 763-76.
		Braunwald, E. <i>Circulation</i> . 1989. Vol. 79, p. 441-4.
		Broxmeyer et al. <i>Journal of Leukocyte Biology</i> . May 2003. Vol. 73, p. 630-8.
		Christman K. International Conference on Engineering Tissue Growth, Pittsburg, Pennsylvania, USA. March 17-20, 2003.
		Etzion et al. <i>American Journal of Cardiovascular Drugs</i> . 2001. Vol. 1(4), p. 233-44.
		Etzion et al. <i>Journal of Molecular Cell Cardiology</i> . 2001. Vol. 33, p. 1321-30.
		Hale et al. <i>American Heart Journal</i> . 1988. Vol. 116, p. 1508-1513.
		Jessup et al. <i>The New England Journal of Medicine</i> . May 15, 2003. Vol. 348, p. 2007-18.
		Jugdutt. <i>Circulation</i> . September 16, 2003. Vol. 108, p. 1395-1403.
		Kelley et al. <i>Circulation</i> . January 5/12, 1999. Vol. 99, p. 135-42.
		Khand et al. <i>European Heart Journal</i> . January 2001. Vol. 22, Issue 2, p. 153-64.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 9124.140US01	Application Number: 10/840008
	Applicant: Cohen et al.	
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		Kollet et al. <i>Blood</i> . May 15, 2001, Vol. 97. No. 10, p. 3283-91.
		Lamas et al. <i>Circulation</i> . August 5, 1997. Vol. 96, No. 3, p. 827-33.
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		Lembcke et al. <i>European Journal of Cardio-thoracic Surgery</i> . 2004. Vol. 25, p. 84-90.
		Leor et al. <i>Circulation</i> . November 1, 1996. Vol. 94 [suppl II], No. 9, p. II-332 - II-336.
		Leor et al. <i>Expert Opinion Biology Theroy</i> . 2003. Vol. 3(7), p. 1023-39.
		Leor et al. <i>Circulation</i> . November 7, 2000. Vol. 102 [suppl III] p. III-56 - III-61.
		Lim et al. <i>Science</i> . November 1980. Vol. 210, p. 908-10.
		Litwin et al. <i>Circulation</i> . January 1994. Vol. 89, No. 1, p. 345-54.
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		Perin et al. <i>Circulation</i> . May 13, 2003. Vol. 107, p. 2294-302.
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		Drazen. <i>New England Journal of Medicine</i> . October 31, 2002. Vol. 347, No. 18, p. 1442-4.
		Rosenbaltt et al. <i>In Vitro Cell Development Biology - Animal</i> . November 1995. Vol. 31 p. 773-9.
		Saavedra et al. <i>Journal of American Colege of Cardiology</i> . June 19, 2002. Vol. 39, No. 12, p. 2069-76.
		Salcedo et al. <i>American Journal of Pathology</i> . April 1999. Vol. 154, No. 4, p. 1125-35.
		Salisbury et al. <i>Circulation Research</i> . July 1960. Vol. VIII, p. 794-800.
		Salvucci et al. <i>Blood</i> . April 15, 2002. Vol. 99, No. 8, p. 2703-11.
		Schiller et al. <i>Journal of American Society Echocardiography</i> . September- October 1989. Vol. 2, No. 5, p. 358-67.
		Schwarz et al. <i>Basic Research in Cardiology</i> . 1998. Vol. 93, No. 6, p. 477-86.
		Sutton et al. <i>Circulation</i> . June 27, 2000. Vol. 101, p. 2981-8.
		Tachibana et al. <i>Nature</i> . June 11, 1998. Vol. 393, p. 591-4.
		Watanabe et al. <i>Cell Transplantation</i> . 1998. Vol. 7, No. 3, p. 239-46.
		Yamaguchi et al. <i>Circulation</i> . March 11, 2003. Vol. 107, p. 1322-8.
		Yau et al. <i>Ann Thoracic Surgery</i> . 2003. Vol. 75, p. 169-77.

**23552**

PATENT TRADEMARK OFFICE

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